

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L ROME 003647

SIPDIS

E.O. 12958: DECL: 07/23/2012

TAGS: [PHUM](#) [IT](#) [HUMAN](#) [RIGHTS](#)

SUBJECT: ITALY FULLY SUPPORTS DRAFT OPTIONAL PROTOCOL ON TORTURE

REF: SECSTATE 130158

CLASSIFIED BY: A/POL P. THIEDE FOR REASONS 1.5 (B) AND (D)

1. (C) IN RESPONSE TO REFTEL DEMARCHE, MFA OFFICE DIRECTOR FOR HUMAN RIGHTS EMANUELE PIGNATELLI TOLD POLOFF JULY 23 THAT THE GOI SHARES THE EU POSITION ON THE DRAFT OPTIONAL PROTOCOL
CONFIDENTIAL

PAGE 02 ROME 03647 240902Z
ON TORTURE. STATING THAT THE GOI HAS BEEN TRYING TO GET THE USG TO SIGN THE DOPT, PIGNATELLI OUTLINED HIS GOVERNMENT'S POSITION WITH CONVICTION. THE GOI IS "PROFOUNDLY CONVINCED" OF THE DOPT'S NECESSITY. NEGOTIATING THE DOPT TOOK TEN YEARS; ALL SOLUTIONS AND NATIONAL POSITIONS WERE CONSIDERED. AN INTERNATIONAL BODY ABLE TO INTERVENE TO PREVENT CASES OF TORTURE AND TO HELP COUNTRIES DEVELOP LEGAL FRAMEWORKS TO PREVENT TORTURE IS ESSENTIAL. THE SUCCESS OF THE EUROPEAN CONVENTION AGAINST TORTURE AND ITS COMMITTEE TASKED WITH THE TYPE OF RESPONSIBILITIES ENVISIONED BY THE DOPT HAD CONVINCED THE GOI OF THE VALUE OF EXPANDING THEM TO THE INTERNATIONAL SYSTEM.

2. (C) PIGNATELLI ACKNOWLEDGED THAT THE DOPT "COULD ALWAYS BE IMPROVED." HOWEVER, THE DRAFTING COMMITTEE HAD DONE AN EXCELLENT JOB, AND IT WAS BETTER TO HAVE A SLIGHTLY-IMPERFECT DOPT THAN NONE AT ALL. WITH REGARD TO THE PROCEDURAL CONCERNS RAISED BY REFTEL AND PREVIOUS DEMARCHES, PIGNATELLI SAID THAT CONSENSUS IS CERTAINLY PREFERABLE BUT NOT ALWAYS POSSIBLE. IN THIS CASE, BEING ABLE TO BRING THE DOPT TO A VOTE ENABLED THE CHR TO RESOLVE A DILEMMA; I.E., HOW TO PASS THE DOPT WITHOUT WATERING IT DOWN SO MUCH AS TO BE USELESS.

3. (C) CURRENTLY, THE GOI IS ENGAGED IN AN EFFORT TO CONVINCE OTHER COUNTRIES WITH GOOD HUMAN RIGHTS RECORDS TO ACCEDE TO THE DOPT, NOTING THAT ITS AIM IS TO PREVENT TORTURE, NOT TO JUDGE OR CONDEMN OTHER GOVERNMENTS. NONETHELESS, THE GOI "FULLY APPRECIATED THE CONSIDERATIONS THAT THE USG HAS EXPRESSED."
SEMBLER

CONFIDENTIAL

PAGE 03 ROME 03647 240902Z

CONFIDENTIAL

>

2002ROME03647 - Classification: CONFIDENTIAL